

## DETAILED ACTION

### *Election/Restrictions*

Claims 1 and 27 are allowable. The restriction requirement based on multiple species, as set forth in the Office action mailed on 11/22/06, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). **The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim.** Claims 12-23, directed to different species are no longer withdrawn from consideration because the claim(s) requires all the limitations of an allowable claim.

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Martin J. Cosenza on May 27, 2008.

**IN THE CLAIMS**

- Claim 1 last line replace "portion." with - - portion,"
- Claim 1 after the amendment above add - - wherein cavities are present in the first projected portions forming the grooves, the cavities extending in a radial direction away from the rotation axis. - -
- Claim 27 last line replace "portion." with - - portion,"
- Claim 27 after the amendment above add - - wherein cavities are present in the first projected portions forming the grooves, the cavities extending in a radial direction away from the rotation axis. - -
- Claim 30, amend to read - - A differential as claimed in claim 1, wherein the cavities terminate at a first distance from the rotation axis, the first distance being greater than a maximum distance of the oil inlet opening from the rotation axis. - -
- Claim 31, amend to read - - A differential as claimed in claim 1, wherein the cavities terminate at a first distance from the rotation axis, the first distance being greater than a maximum distance of the oil inlet opening from the rotation axis. - -

***Allowable Subject Matter***

Claims 1, 3-5 and 7-33 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art of record does not teach nor render obvious the claimed combination wherein comprising first projected portions formed on an outer surface of the differential case at portions that support the pinion shafts through the grooves, the first projected portions having an inclined surface at a leading side thereof with respect to the normal rotation direction, the inclined surfaces defining an acute angle relative to a tangential line of the outer surface of the differential case at a center point of the respective projection portion, wherein cavities are present in the first projected portions forming the grooves, the cavities extending in the radial direction away from the rotation axis.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES PILKINGTON whose telephone number is (571)272-5052. The examiner can normally be reached on Monday-Friday 8:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3682

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. P./

Examiner, Art Unit 3682

5/29/08

/Richard WL Ridley/

Supervisory Patent Examiner, Art Unit 3682